

**RESOLUTION NO. 20210610-049**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City to acquire certain real property interests for the public uses as set out below; and

**WHEREAS**, the City has attempted to purchase those needed real property interests, but has been unable to agree with the owner on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City against the owner now having, or who may acquire, an interest in the real property interests necessary to the City, described below, for the public uses set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

**BE IT FURTHER RESOLVED:**

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners:	SFC Software Factory, LLC, a Texas limited liability company
Project:	City of Austin Corridor Mobility Program, South Lamar Boulevard Corridor Project

Public Use: To provide connectivity between many local attractions, homes, sidewalks, and bicycle lanes.  
A sidewalk, trail, and recreational easement as described in the attached Exhibit "A" is necessary to install, construct, operate, use, maintain, repair, modify, upgrade, monitor, inspect, replace, make connections with multi-use trails, and promenade structures and related facilities in, under, upon and across the property described in Exhibit "A".

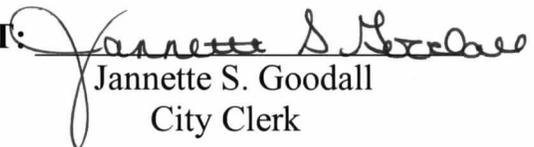
Location: 1615 S. Lamar Blvd., Austin, Texas 78704

The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. (District 5)

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: June 10, 2021

ATTEST:

  
Jannette S. Goodall  
City Clerk

**EXHIBIT "A"**

<b>City of Austin:</b>	Corridor Program	Parcel 5308.001 STARE
<b>Corridor:</b>	South Lamar Boulevard	0.0064 Acres, 280 Sq. Ft.
<b>Segment:</b>	SOLA-C2	Page 1 of 6
<b>Segment From:</b>	Barton Springs Road	August 28, 2020
<b>Limits To:</b>	US 290	Revised January 15, 2021
<b>RCSJ:</b>	0113-10-001	

**DESCRIPTION OF PARCEL 5308.001 STARE**

DESCRIPTION OF A 0.0064 OF ONE ACRE (280 SQUARE FOOT) PARCEL, OUT OF THE ISAAC DECKER LEAGUE SURVEY NO. 20, ABSTRACT NO. 8, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING OUT OF A PORTION OF LOT 12, EVERGREEN HEIGHTS, A SUBDIVISION OF RECORD IN VOLUME Z, PAGE 614, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID PORTION OF LOT 12 BEING DESCRIBED AS 0.334 OF ONE ACRE CONVEYED TO SFC SOFTWARE FACTORY, LLC BY DEED, EXECUTED MAY 6, 2019, AS RECORDED IN DOCUMENT NO. 2019064614, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING FURTHER DESCRIBED BY DEED, DATED SEPTEMBER 3, 2013, AS RECORDED IN DOCUMENT NO. 2013165748, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0064 OF ONE ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod with cap (illegible) found in the east line of said 0.334 of one acre SFC Software Factory tract, being in the existing west right-of-way line of Evergreen Avenue (varying width), from which a 1/2 inch iron rod with cap (illegible) found at the southeast corner of said 0.334 of one acre SFC Software Factory tract, being at the northeast corner of Lot 1, Resubdivision of a Part of Lots 12 and 13, Evergreen Heights, a subdivision of record in Book 8. Page 110, Plat Records, Travis County, Texas, said Lot 1 conveyed to J.H. Cummings by deed, as recorded in Volume 2145, Page 271, Deed Records, Travis County, Texas, bears South 29 degrees 36 minutes 01 seconds West 4.13 feet;

THENCE, along the east line of said 0.334 of one acre SFC Software Factory tract and the existing west right-of-way line of Evergreen Avenue, North 17°31'40" East 72.22 feet to a calculated point;

## EXHIBIT "A"

<b>City of Austin:</b>	Corridor Program	Parcel 5308.001 STARE
<b>Corridor:</b>	South Lamar Boulevard	0.0064 Acres, 280 Sq. Ft.
<b>Segment:</b>	SOLA-C2	Page 2 of 6
<b>Segment From:</b>	Barton Springs Road	August 28, 2020
<b>Limits To:</b>	US 290	Revised January 15, 2021
<b>RCSJ:</b>	0113-10-001	

### DESCRIPTION OF PARCEL 5308.001 STARE

THENCE, continuing along the east line of said 0.334 of one acre SFC Software Factory tract and the existing west right-of-way line of Evergreen Avenue, with a curve to the left, whose intersection angle is  $44^{\circ}29'32''$ , radius is 49.50 feet, an arc distance of 38.44 feet, and the chord of which bears North  $04^{\circ}16'10''$  West 37.48 feet to a calculated point at the northeast corner of said 0.334 of one acre SFC Software Factory tract, being in the existing south right-of-way line of Evergreen Avenue;

THENCE, along the north line of said 0.334 of one acre SFC Software Factory tract and the existing south right-of-way line of Evergreen Avenue, North  $43^{\circ}45'24''$  West 94.26 feet to a calculated point at the northeast corner of this parcel for the POINT OF BEGINNING, being 43.08 feet right of Engineer's Baseline Station 216+32.81, and having Surface Coordinates of N=10,065,533.41 E=3,107,771.99;

THENCE, along the proposed east line of this parcel, crossing said 0.334 of one acre SFC Software Factory, the following three (3) courses, numbered 1 through 3:

- 1) **South  $38^{\circ}14'37''$  West 53.93 feet** to a calculated point, being 43.08 feet right of Engineer's Baseline Station 215+78.88;
- 2) **North  $51^{\circ}46'22''$  West 3.40 feet** to a calculated point, being 39.68 feet right of Engineer's Baseline Station 215+79.88; and
- 3) **South  $38^{\circ}13'38''$  West 9.30 feet** to a calculated point at the southeast corner of this parcel, being 39.68 feet right of Engineer's Baseline Station 215+69.58;
- 4) THENCE, along the proposed south line of this parcel, crossing said 0.334 of one acre SFC Software Factory tract, **North  $51^{\circ}42'35''$  West 1.50 feet** to a calculated point at the southwest corner of this parcel, being in the west line of said 0.334 of one acre SFC Software Factory tract and in the existing east right-of-way line of South Lamar Boulevard (varying width);

**EXHIBIT "A"**

<b>City of Austin:</b>	Corridor Program	Parcel 5308.001 STARE
<b>Corridor:</b>	South Lamar Boulevard	0.0064 Acres, 280 Sq. Ft.
<b>Segment:</b>	SOLA-C2	Page 3 of 6
<b>Segment From:</b>	Barton Springs Road	August 28, 2020
<b>Limits To:</b>	US 290	Revised January 15, 2021
<b>RCSJ:</b>	0113-10-001	

**DESCRIPTION OF PARCEL 5308.001 STARE**

- 5) THENCE, along the west line of this parcel and said 0.334 of one acre SFC Software Factory tract, and the existing east right-of-way line of South Lamar Boulevard, **North 38°13'38" East 63.92 feet** to a mag nail with "CHAPPARAL BOUNDARY" washer found at the northwest corner of this parcel and said 0.334 of one acre SFC Software Factory tract, being in the existing south right-of-way line of Evergreen Avenue;
- 6) THENCE, along the north line of this parcel and said 0.334 of one acre SFC Software Factory tract, and the existing south right-of-way line of Evergreen Avenue, **South 43°45'24" East 4.97 feet** to the POINT OF BEGINNING and containing 0.0064 of one acre (280 square feet) of land within these metes and bounds.

Notes

1. All bearings and coordinates described herein are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum of 1983 (NAD 83 2001 Adjustment, Epoch 2010.00). All distances and coordinates described herein are Surface and may be converted to Grid by dividing the combined Adjustment Factor of 1.00011. All measurements are in U.S. Survey Feet.
2. A parcel plat of even date was prepared in conjunction with this property description.
3. \*\*The monument(s) described as "calculated" may be set with a typical ROW/Easement marker, after acquisition is completed, under the supervision of a Registered Professional Land Surveyor, either employed or retained by the City of Austin.
4. Stations and offsets are relative to Corridor Centerline provided by Engineer on 05/12/2020.

**EXHIBIT "A"**

**City of Austin:** Corridor Program  
**Corridor:** South Lamar Boulevard  
**Segment:** SOLA-C2  
**Segment From:** Barton Springs Road  
**Limits To:** US 290  
**RCSJ:** 0113-10-001

Parcel 5308.001 STARE  
0.0064 Acres, 280 Sq. Ft.  
Page 4 of 6  
August 28, 2020  
Revised January 15, 2021

DESCRIPTION OF PARCEL 5308.001 STARE

SURVEYED BY:

**McGRAY & McGRAY LAND SURVEYORS, INC.**  
3301 Hancock Dr., Ste. 6  
Austin, TX 78731 (512) 451-8591  
TBPELS Survey Firm# 10095500



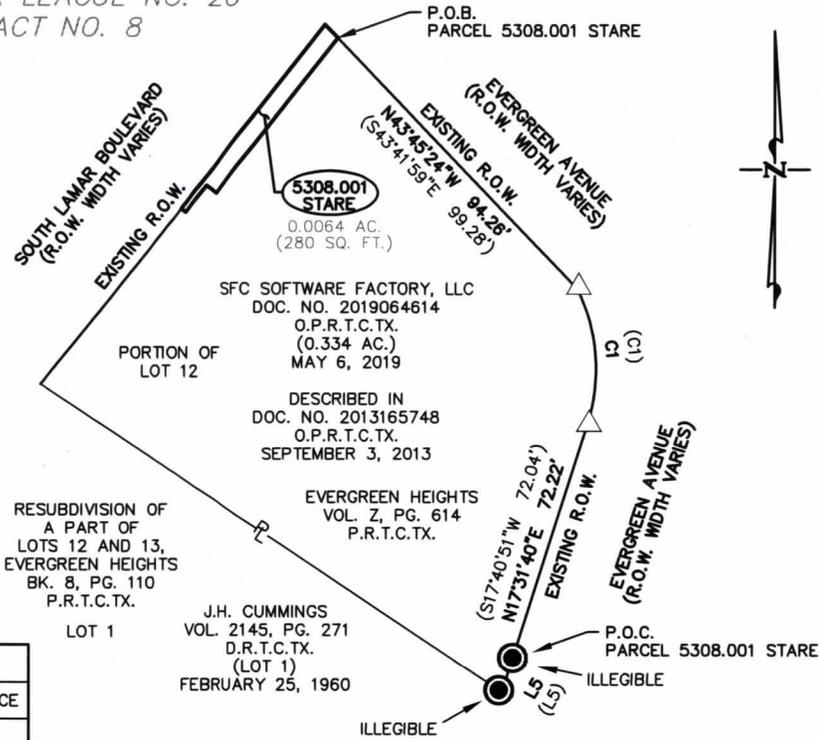
01/15/2021

Chris Conrad, Reg. Professional Land Surveyor No. 5623  
M:/COA-CORRIDORS-2018/LAN-18-050\_S Lamar/Descriptions/Parcel 5308.001

Date

AUSTIN GRID H-21  
PROPERTY ID: 100306

ISAAC DECKER LEAGUE NO. 20  
ABSTRACT NO. 8



CURVE TABLE					
CURVE#	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	38.44'	49.50'	44°29'32"	N04°16'10"W	37.48'
(C2)	38.44'	49.50'	44°29'32"	S04°12'45"E	37.48'

- NOTES:**
1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM (TCS), CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83) 2011 ADJUSTMENT, EPOCH 2010.00. ALL DISTANCES AND COORDINATES SHOWN HEREON ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING THE COMBINED ADJUSTMENT FACTOR OF 1.00011. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET.
  2. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
  3. \*\*THE MONUMENT(S) DESCRIBED AS "CALCULATED" MAY BE SET WITH TYPICAL ROW/EASEMENT MARKER, AFTER ACQUISITION IS COMPLETED, UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY THE CITY OF AUSTIN.
  4. STATIONS AND OFFSETS ARE RELATIVE TO CORRIDOR CENTERLINE PROVIDED BY ENGINEER ON 5/12/2020.
  5. NO RECORD EASEMENT INFORMATION FOUND FOR SOME UTILITIES SHOWN.

LINE TABLE		
LINE#	BEARING	DISTANCE
L5	S29°36'01"W	4.13'
(L5)	S27°40'10"W	4.16'

J.H. CUMMINGS  
VOL. 2145, PG. 271  
D.R.T.C.TX.  
(LOT 1)  
FEBRUARY 25, 1960

RESUBDIVISION OF  
A PART OF  
LOTS 12 AND 13,  
EVERGREEN HEIGHTS  
BK. 8, PG. 110  
P.R.T.C.TX.

EVERGREEN HEIGHTS  
VOL. Z, PG. 614  
P.R.T.C.TX.

SFC SOFTWARE FACTORY, LLC  
DOC. NO. 2019064614  
O.P.R.T.C.TX.  
(0.334 AC.)  
MAY 6, 2019

DESCRIBED IN  
DOC. NO. 2013165748  
O.P.R.T.C.TX.  
SEPTEMBER 3, 2013

5308.001  
STARE  
0.0064 AC.  
(280 SQ. FT.)

LOT 1

PROPERTY INSET  
N.T.S.

REVISIONS	
DATE	DESCRIPTION
01/15/2021	EXECUTED DATE FOR VESTING DEED "DESCRIBED IN" ADDED TO PARCEL DESCRIPTION
-	-

**McGRAY & McGRAY  
LAND SURVEYORS, INC.**  
3301 HANCOCK DRIVE #6  
AUSTIN, TEXAS 78731  
MCGRAY.COM (512) 451-8591  
TBPELS SURVEY FIRM #10095500

<b>CITY OF AUSTIN - CORRIDOR PROGRAM</b>			
SOUTH LAMAR CORRIDOR, SEGMENT C2			
PARCEL PLAT - 5308.001 STARE			
0.0064 ACRES, (280 SQ. FT.)			
RCSJ:	0113-10-001	AUSTIN GRID#	H-21
SURVEY DATE:	08/28/2020	PROJECT:	20-040
REVISION DATE:	01/15/2021	PROPERTY ID:	100306
SCALE:	N.T.S.	PAGE:	5 OF 6

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.



01/15/2021

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE  
Note: There is a description to accompany this plat.

EXHIBIT "A"

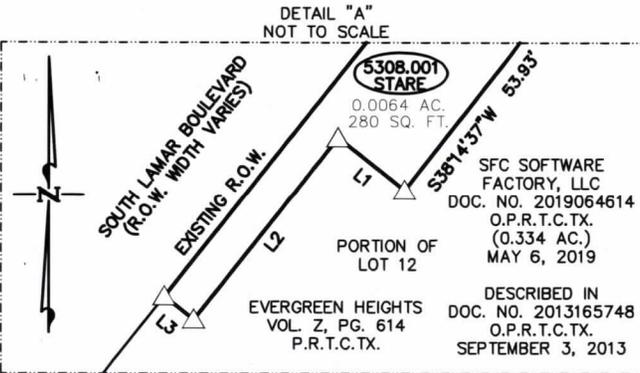
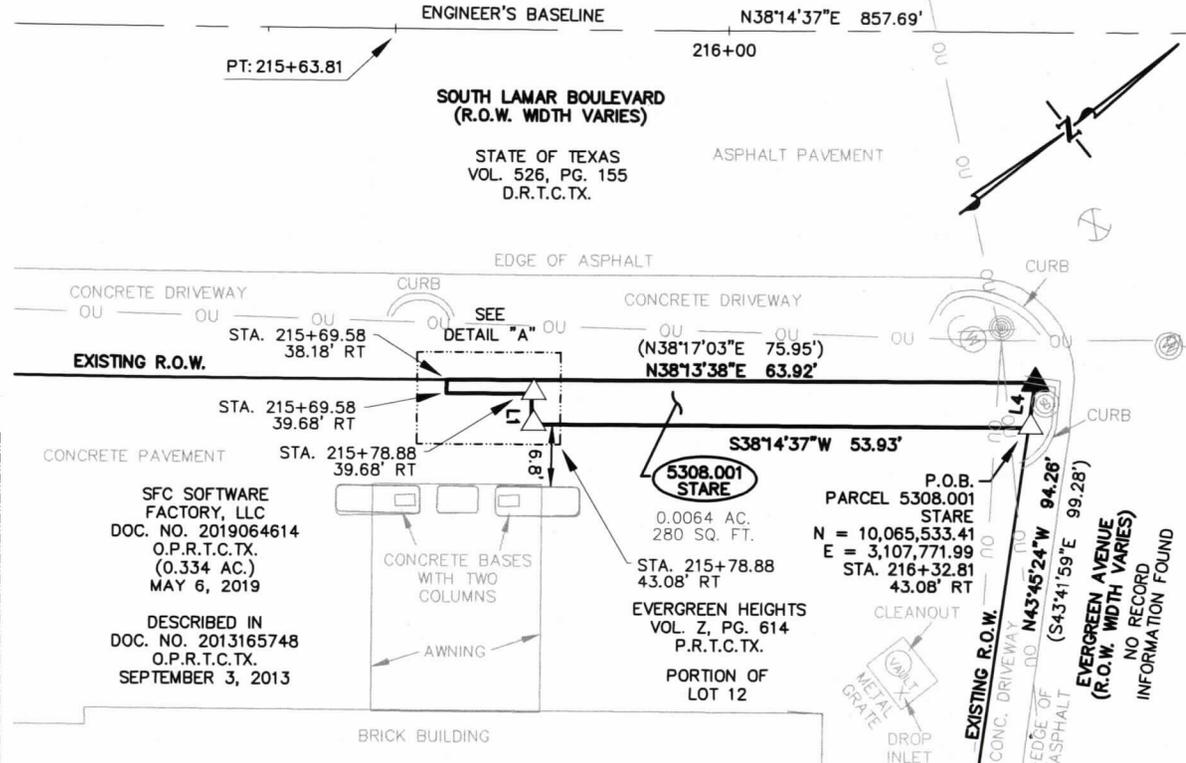
ENGINEER'S BASELINE SOUTH LAMAR BLVD  
 PI NORTHING = 10,064,857.36  
 PI EASTING = 3,107,184.31  
 PI STATION = 207+81.64  
 DELTA = 32° 09' 20" (LT)  
 DEGREE OF CURVE = 01° 59' 59"  
 TANGENT = 825.74'  
 LENGTH = 1,607.90'  
 RADIUS = 2,865.00'  
 CHORD BEARING = N 54° 19' 17" E  
 CHORD = 1,586.88'  
 PC STATION = 199+55.91  
 PT STATION = 215+63.81

ISAAC DECKER LEAGUE NO. 20  
 ABSTRACT NO. 8



GRAPHIC SCALE

LINE TABLE		
LINE#	BEARING	DISTANCE
L1	N51°46'22"W	3.40'
L2	S38°13'38"W	9.30'
L3	N51°42'35"W	1.50'
L4	S43°45'24"E	4.97'



LEGEND

- ▲ MAG NAIL FOUND W/ WASHER MARKED
- "CHAPPARAL BOUNDARY"
- FOUND IRON ROD WITH CAP (1/2" UNLESS NOTED)
- △ CALCULATED POINT, NOT SET
- 1/2" IRON ROD SET W/ "MCGRAY MCGRAY"
- PLASTIC CAP
- PROPERTY LINE (OWNERSHIP DIVISION)
- DISTANCE NOT TO SCALE
- DEED LINE (OWNERSHIP IN COMMON)
- ① PARCEL NUMBER
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXXX) RECORD INFORMATION
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- N.T.S. NOT TO SCALE
- D.R.T.C.TX. DEED RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.TX. PLAT RECORDS TRAVIS COUNTY, TEXAS
- ⊗ WATER VALVE
- ⊙(W) WATER METER
- ⊙(S) STORM DRAIN MANHOLE
- ⊙(W) WASTEWATER MANHOLE
- ⊙ POWER POLE
- GUY ANCHOR
- OU OVERHEAD UTILITY LINE

**McGRAY & McGRAY**  
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<b>CITY OF AUSTIN - CORRIDOR PROGRAM</b>		
SOUTH LAMAR CORRIDOR, SEGMENT C2		
PARCEL PLAT - 5308.001 STARE		
0.0064 ACRES, (280 SQ. FT.)		
RCSJ:	0113-10-001	AUSTIN GRID# H-21
SURVEY DATE:	08/28/2020	PROJECT: 20-040
REVISION DATE:	01/15/2021	PROPERTY ID: 100306
SCALE:	1" = 20'	PAGE: 6 OF 6

EXHIBIT "A"